

SENATE BILL 3430

By Henry

AN ACT to amend Tennessee Code Annotated, Title 13,  
relative to zoning.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 13-7-208(d), is amended by designating the existing language as subdivision (1) and adding the following language as a new subdivision (2):

(2) Multifamily residential property, whether owned or leased as rental property, permitted to operate under zoning regulations or exceptions thereto immediately preceding a change in zoning shall be allowed to destroy present facilities and reconstruct new facilities necessary to the conduct of such residential property subsequent to the zoning change; provided, that no destruction and rebuilding shall occur which that acts to change the use classification of the land as classified under any zoning regulations or exceptions thereto in effect immediately prior to or subsequent to a change in the zoning of the land area on which such multifamily residential property is located. No building permit or like permission for demolition, construction or landscaping shall be denied to an owner of a multifamily residential property seeking to destroy and reconstruct facilities necessary to the continued conduct of the activities of that residential property, where such conduct was permitted prior to a change in zoning; provided, that there is a reasonable amount of space for such expansion on the property situated within the area which is affected by the change in zoning, so as to avoid nuisances to adjoining landowners.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.